



U.S. Department  
of Transportation

Pipeline and  
Hazardous Materials  
Safety Administration

400 Seventh Street, S.W.  
Washington, D.C. 20590

**JUL 26 2005**

DOT-E 12378  
(SIXTH REVISION)

EXPIRATION DATE: June 30, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Federal Express Corporation  
Memphis, TN
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce, by air, of dry ice prepared in accordance with the International Civil Aviation Organization's (ICAO) Technical Instructions. This exemption applies only to the notification-to-pilot requirements of § 175.33 and provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.203(a), 172.301(c) in that marking the exemption number on shipping papers and packagings is waived, and § 175.33, in that the quantity for each package listed on the notification-to-pilot is waived, except as specified herein.
5. BASIS: This exemption is based on the application of Federal Express dated June 29, 2005, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Dry ice	9	UN1845	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is as required by the ICAO Technical Instructions except that when 49 CFR prescribes more stringent packaging requirements than the packagings authorized by the ICAO Technical Instructions, the packaging used must conform to the requirements in 49 CFR.

b. Without regard to the exceptions provided for in § 175.10, Federal Express will inform flight crews of dry ice being transported in the following method:

Dry Ice, 9, UN1845, III or UN1845, Dry Ice, 9, III  
(total amount of Dry ice (in kg)) being transported in each compartment and on each flight.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at Federal Express Corporate Headquarters and made available to a DOT representative upon request.

b. The marking requirements in §§ 172.203(a) and 172.301(c) are waived.

c. Persons under subcontract operating under exclusive use for Federal Express are authorized to use this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.10. MODAL REQUIREMENTS: None, except as provided in the HMR.11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

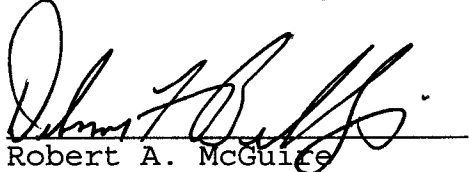
- O All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- O Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- O Registration required by § 107.601 et. seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:



for  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

JUL 26 2005

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at

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<http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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